REMARKS

The Examiner objected to the drawings making a requirement that they must show the claimed steps of "heat sealing across the two adjacent " and "inserting an electronic device inside the plastic bag" This requirement is traversed because these steps are adequately described in the description. Nevertheless new drawing pages are submitted showing those steps. New Fig 4 shows the heat sealing and cutting step and new Fig 5 shows inserting an electronic device into a bag. Also new text is added to the description at page 5 the new text being shown in the accompanying new page.

Also new drawing pages for Figs 1-3 are provided.

The Examiner also objected to the drawings the "extrusion product 10 was not designated. This has been correct by insertion of the numeral 10 in Fig 1.

The claims were rejected under section 103 as being unpatenable over Abate in view of Robbins and Franey. The Examiner's position regarding claims1, 18 and 20, is in summary, that Abate shows the claimed plastic bags but not forming them by extrusion or with VCI; and Robbins shows extrusion with spaced apart longitudinal ribs; and Franey shows the use of VCI. The Examiner's view is that it would be obvious to modify Agate's method by incorporating extrusion to make the plastic bags and that incorporating the VCI material is taught by Franey.

The rejection is traversed. Abate makes bags having two layers (13 and 14) and is made by sealing them along their length (11). Thread-like strands (15) are applied to one of the inside surfaces, but not the other (see Fig 1). Abate's bags are for vacuum packaging (column 2, line 35). The thread-like elements provide channels that permit complete evacuation of air from the bag (Column 1 lines56-64).

Robbins teaches making not bags but sheets with longitudinal ribs on one or both sides. Robbins shows the initial extruding step of the present invention, but he converts the extrusion product into sheets by slitting on side.

It is submitted that there is no motivation or suggestion for modifying the way the Abate bags are made to the use of Robbins extrusion method. In such case for example the side elements 11 of Abate would have to be eliminated, a step that is not suggested. Also, Robbins shows making sheets, not bags and the ribs can be

on either or both sides which contradicts putting extruded ribs inside a bag made by extruding.

It is further submitted that there is no motivation or suggestion for including VCI or antistatic material (newly claimed) in the bags of Abate, and in fact any such step is contradicted by Abate's teaching that the bags are for vacuum sealing and the ribs form channels that permit air to be removed. The contradiction is that if VCI and antistatic outgassing takes place into the bag interior the purpose of vacuum sealing would be compromised because the outgassed gases would reverse the vacuum seal effect. The plastic would not firmly conform to the shape of the item inside but would to some degree return to a gas holding non-vacuum state.

Further in the presently claimed method the ribs have two important unobvious functions, they permit holding more VCI and antistatic material and they provide greater area for out gassing, neither of which function is disclosed or suggested in the cited art nor would it have any relevance to Abate's vacuum sealing function or to the sheets made by Robbins.

Consequently it is submitted that the rejection of claims 1, 18 and 19 should be reconsidered and that the claims should be allowed.

Furthermore the Examiner rejected the claims that choose the optimum dimensions for a bag to contain an electronic device on the basis of a case (In re Aller) that has been effectively reversed. The present law does allow for patentability on the basis of discovering optimum conditions even within a range that would otherwise be in the prior art because the discovery of the optimum conditions meets the requirement for patentability. In this case the optimum conditions for containing an electronic device are claimed, and these conditions are particular to the configuration of electronic devices to allow them to be inserted without damage due to the particular configuration and dimensions claimed for the interior ribs. It is also noted that Abate's ribs have the purpose of allowing extraction of air for the vacuum sealing and Robbins' ribs can be on the inside or the outside of his sheet so that no interaction of the ribs with the contents of a bag is suggested.

For the reasons given above it is submitted that the claims are now in allowable form.

Law Offices of Lawrence S. Cohen
10960 Wilshire Boulevard, Suite 1220
Los Angeles, CA 90024
Telephone: 310-231-6898
Facsimile: 310-231-6899
E-mail: cohenlaw@cypressmail.com

Respectfully submitted,

L. S. Cohen

Lawrence S. Cohen, Esq.
Attorney for Applicant; Reg. No. 25,225
Date: June 24, 2005